

SENATE BILL 498 (LRB -2149)

An Act to amend 182.0175 (2m) (a) 2. and 182.0175 (2m) (b) (intro.); and to create 182.0175 (1) (bt), 182.0175 (2m) (bm) and 182.0715 (2r) of the statutes; relating to: excavation notices and installation of certain water and sewer laterals. (FE)

2006

01-06.	S.	Introduced by Senators Leibham and Kanavas ; cosponsored by Representatives Nass , LeMahieu , Hines , Hahn , Pettis , Ainsworth and Montgomery .	
01-06.	S.	Read first time and referred to committee on Natural Resources and Transportation	518
01-18.	S.	Withdrawn from committee on Natural Resources and Transportation and rereferred to committee on Energy, Utilities and Information Technology, pursuant to Senate Rule 46 (2)(c)	538
01-30.	S.	Fiscal estimate received.	
02-01.	S.	Fiscal estimate received.	
02-01.	S.	Public hearing held.	
02-27.	S.	Senate amendment 1 offered by Senator Leibham (LRB a2448)	636
03-01.	S.	Executive action taken.	
03-01.	S.	Report adoption of Senate Amendment 1 recommended by committee on Energy, Utilities and Information Technology, Ayes 5, Noes 0	650
03-01.	S.	Report passage as amended recommended by committee on Energy, Utilities and Information Technology, Ayes 4, Noes 1	650
03-01.	S.	Available for scheduling.	
03-06.	S.	Placed on calendar 3-7-2006 by committee on Senate Organization.	
03-07.	S.	Read a second time	699
03-07.	S.	Senate amendment 1 to Senate amendment 1 offered by Senator Leibham (LRB a2682)	699
03-07.	S.	Senate amendment 1 to Senate amendment 1 adopted	699
03-07.	S.	Senate amendment 1 adopted	699
03-07.	S.	Ordered to a third reading	699
03-07.	S.	Rules suspended	699
03-07.	S.	Read a third time and passed , Ayes 30, Noes 2	699
03-07.	S.	Ordered immediately messaged	700
03-21.	A.	Received from Senate	984
03-21.	A.	Read first time and referred to committee on Labor	985
03-29.	A.	Public hearing held.	
04-10.	A.	Fiscal estimate received.	
04-13.	A.	Assembly substitute amendment 1 offered by Representative Nass (LRB s0680)	1013
04-25.	A.	Executive action taken.	
05-02.	A.	Placed on calendar 5-4-2006 by committee on Rules.	
05-04.	A.	Report Assembly Substitute Amendment 1 adoption recommended by committee on Labor, Ayes 9, Noes 0.	
05-04.	A.	Report concurrence as amended recommended by committee on Labor, Ayes 9, Noes 0.	
05-04.	A.	Referred to committee on Rules.	
05-04.	A.	Read a second time.	
05-04.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representatives Nass and Montgomery (LRB a3143).	
05-04.	A.	Assembly amendment 1 to Assembly substitute amendment 1 adopted .	
05-04.	A.	Assembly substitute amendment 1 adopted .	
05-04.	A.	Ordered to a third reading.	
05-04.	A.	Rules suspended.	
05-04.	A.	Read a third time and concurred in as amended.	
05-04.	A.	Ordered immediately messaged.	
05-04.	S.	Received from Assembly amended and concurred in as amended, Assembly substitute amendment 1, as amended by Assembly amendment 1 to Assembly substitute amendment 1, adopted.	
05-04.	S.	Withdrawn from committee on Senate Organization and taken up.	
05-04.	S.	Assembly substitute amendment 1 concurred in .	
05-04.	S.	Action ordered immediately messaged.	

2005 ENROLLED BILL

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ADOPTED DOCUMENTS:

☐ Orig

☐ Engr

A SubAmdt 1

05 50680 / 1

Amendments to above (if none, write "NONE"): AA1 - a 3143 / 1

Corrections - show date (if none, write "NONE"):

None

Topic

Rel

5-9-06

Date

J R Miller

Enrolling Drafter

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 498**

April 13, 2006 – Offered by Representative NASS.

1 **AN ACT** *to amend* 182.0175 (2m) (a) 2. and 182.0175 (2m) (b) (intro.); and *to*
2 *create* 182.0175 (1) (bt), 182.0175 (2m) (bm) and 182.0715 (2r) of the statutes;
3 **relating to:** excavation notices and installation of certain water and sewer
4 laterals.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 182.0175 (1) (bt) of the statutes is created to read:

6 182.0175 (1) (bt) “Local governmental unit” means a political subdivision of
7 this state, a special purpose district in this state, an instrumentality or corporation
8 of such a political subdivision or special purpose district, a combination or subunit
9 of any of the foregoing or an instrumentality of the state and any of the foregoing.

10 **SECTION 2.** 182.0175 (2m) (a) 2. of the statutes is amended to read:

1 182.0175 (2m) (a) 2. Respond to an excavation notice within 3 working days
2 by marking the location of transmission facilities and, if applicable, laterals as
3 provided under par. (b) in the area described in the excavation notice.

4 **SECTION 3.** 182.0175 (2m) (b) (intro.) of the statutes is amended to read:

5 182.0175 (2m) (b) *Facilities marking.* (intro.) A person owning transmission
6 facilities, upon receipt of an excavation notice, shall mark in a reasonable manner
7 the locations of transmission facilities at the area described in the notice to enable
8 the excavator to locate the transmission facilities without endangering the security
9 of the facilities or the public. Except as provided in par. (bm), if the person is a local
10 governmental unit and if the excavation notice relates to sewer or water facilities
11 owned by the local governmental unit, the local governmental unit shall also mark
12 the locations within the public right-of-way of all laterals connected to the sewer or
13 water facilities at the area described in the notice. ~~A local governmental unit may~~
14 ~~charge a reasonable fee for marking such locations within the public right-of-way.~~

15 The marking of facilities shall be completed within 3 working days after receipt of
16 the notice, or if notice is given more than 10 days before excavation is scheduled to
17 begin, marking shall be completed at least 3 working days before excavation is
18 scheduled to begin. If the approximate location of a transmission facility is marked
19 with paint, flags, stakes or other physical means, the following color coding of lines,
20 cables or conduits shall comply with the uniform color code adopted by the American
21 National Standards Institute:

22 **SECTION 4.** 182.0175 (2m) (bm) of the statutes is created to read:

23 182.0175 (2m) (bm) ~~In lieu of marking within the public right-of-way the~~
24 ~~locations of sewer or water service laterals, a local governmental unit may make~~
25 available to an excavator, for inspection and making copies, information on the

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1 location of such laterals as shown on maps, drawings, diagrams, or other records,
2 that are readily available. If a local governmental unit has no such readily available
3 information regarding such laterals and the local governmental unit provides the
4 excavator with a written notice that the local governmental unit has no such readily
5 available information, the local governmental unit is considered to have satisfied the
6 requirement under par. (b) to mark the locations within the public right-of-way of
7 all laterals connected to the sewer or water facilities.

8 **SECTION 5.** 182.0715 (2r) of the statutes is created to read:

9 182.0715 (2r) FACILITIES INSTALLED AFTER DECEMBER 31, 2006. Any person who,
10 after December 31, 2006, installs a nonconductive water or sewer lateral shall also
11 install a locating wire or other equally effective means for marking the location of the
12 lateral. The requirement shall not apply to minor repairs to, or partial replacements
13 of, laterals installed before January 1, 2007.

14 **SECTION 6. Initial applicability.**

15 (1) The treatment of section 182.0175 (2m) (b) (intro.) and (bm) of the statutes
16 first applies, with respect to excavation notices relating to trenchless boring, to
17 excavation notices that are received on the first day of the 2nd month beginning after
18 the effective date of this subsection and first applies, with respect to all other
19 excavation notices, to excavation notices that are received on the first day of the 36th
20 month beginning after the effective date of this subsection.

21 (END)

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 498**

May 4, 2006 – Offered by Representatives NASS and MONTGOMERY.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 13: delete the material beginning with “A local governmental”
3 and ending with “right-of-way.” on line 14.

4 **2.** Page 2, line 23: delete the material beginning with “In lieu of” and ending
5 with “make” on line 24 and substitute “A local governmental unit is considered to
6 have satisfied the requirement under par. (b) to mark the locations within the public
7 right-of-way of all laterals connected to sewer or water facilities if the local
8 governmental unit makes”.

9 (END)

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